

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

HU TEHUTI,)
Plaintiff,)
v.)
A. DAVID ROBINSON, et al.,)
Defendants.)
)
)

) Civil Action No. 7:17cv00126
MEMORANDUM ORDER
)
)
By: Hon. Pamela Meade Sargent
United States Magistrate Judge
)

The plaintiff, Hu Tehuti, brought this case while a Virginia Department of Corrections, (“VDOC”), inmate imprisoned at River North Correctional Center, (“River North”). The Complaint, which alleged violations of Tehuti’s religious rights under the First Amendment, Religious Land Use and Incarcerated Persons Act, (“RLUIPA”), and the Due Process Clause, sought only injunctive relief.¹ Tehuti’s claims were tried to the undersigned on July 10, 2019. At trial, the evidence showed that many of Tehuti’s specific requests regarding the exercise of his religious beliefs had been met by the VDOC. Tehuti confirmed at trial that he sought only injunctive relief as to his remaining requests.

On September 18, 2019, Tehuti notified this court of a change of address based on his release from VDOC custody. (Docket Item No. 66.) Tehuti has not notified the court of any further change of address. On October 24, 2019, the defendants moved to dismiss Tehuti’s claims as moot based on his release from VDOC custody. (Docket Item No. 67) (“Motion”). On October 25, 2019, what is

¹ The Complaint also raised a claim based on denial of a religious diet, but that claim was dismissed without prejudice by earlier opinion and order based on Tehuti’s failure to exhaust his administrative remedies.

referred to as a “Roseboro Notice” was sent to Tehuti notifying him that he had 21 days to file a response to the Motion. (Docket Item 68.) To date, Tehuti has filed no response to the Motion.

Based on the evidence presented at the bench trial, as well as the relief requested, the procedural history of the case and the arguments and representations contained in the Motion, the Motion is **GRANTED**, and Tehuti’s remaining claims are **DISMISSED AS MOOT**. The Clerk Office is instructed to close this case and strike it from the court’s active docket.

Copies of this Order will be certified to all counsel of record and to the unrepresented plaintiff.

ENTERED: December 10, 2019.

/s/ *Pamela Meade Sargent*
UNITED STATES MAGISTRATE JUDGE